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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/798,205
		Filing Date	03/11/2004
		First Named Inventor	Larry P. Backes
		Group Art Unit	3681
		Examiner Name	
Total Number of Pages in This Submission	5+Ref	Attorney Docket Number	M404

## ENCLOSURES (check all that apply)

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Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert L. Marsh
Signature	
Date	05/11/2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Larry P. Backes  
Serial No. : 10/798,205  
Filed on : March 11, 2004  
For : Non-Weight Bearing Foot and Leg  
Exercising Apparatus  
Examiner :  
Group Art : 3681  
Attorney Docket No. : M404

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INFORMATION DISCLOSURE

Assistant Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

If any additional charges or fees must be paid in connection with this communication, they may be paid out of our deposit account No. 50-0783.

Fulton, US Patent no. 4,728,103 issued March 1, 1988 discloses a leg exercising device having a foot portion, straps from the foot portion extending around the foot, and elastic straps connected to the foot portion, the straps having handles at the end thereof.

Chism, US Patent no. 5,582,579 issued December 10, 1996 discloses a leg exercising device that includes a boot for retaining the foot of a patient and straps extending from the boot to a handle such that the patient can use his hands to apply force to his foot.

Cowans, US Patent no. 6,206,807 B1 issued March 27, 2001 discloses an ankle exercising device that includes a foot retaining portion with a hook near the toe thereof and an elongate handle connected to the hook at the toe.

Emlaw, US Patent no. 6,368,258 B1 issued April 9, 2002 discloses a device for exercising a patient's leg including a foot holding portion and a plurality of straps grasped by the hands of the patient.

Nordt, III, US Patent no. 6,602,216 B1 issued August 5, 2003 discloses a plantar fascia exercising device consisting of a foot retaining element in which the toes of the patient are forced upward to extend the plantar fascia.

Mikell, US Patent no. 2,467,943 issued June 19, 1946 discloses an exercising device including a foot rest comprised of a pair of bars and connected to opposite sides of the foot rest are extension strings with a strap joining the far ends of the extension strings.

Gaylord, US Patent no. 6,379,321 B2 issued April 30, 2002 discloses a plantar fascia support apparatus consisting of a plurality of straps for wrapping around the foot and ankle.

Leseberg, US Patent no. 4,251,070 issued February 17, 1981 discloses a exercise device including a retainer for retaining a foot of a patient and straps connected to the retainer with handles at the opposite ends of the straps.

Strassburg, US Patent no. 5,399,155 issued March 21, 1995 discloses an ankle plantar flexion prevention device that includes a sock for fitting over a patient's foot and extending upward along the patient's leg to the calf and a strap connecting the upper end of the sock that fits around the calf to the toe of the sock.

Surbaugh, US Patent no. 324,498 issued August 18, 1885 discloses a plurality of straps used to exercise a patient's leg.

Powell, US Patent no. 5,887,591 issued March 30, 1999 discloses a rigid plate configured to retain a patient's foot and the back of a patient's calf for retaining the patient's foot in the desired configuration.

Bergmann, US Patent 5,776,090 issued July 7, 1998 discloses a hook-shaped member for fitting across the front of a patient's shin and along the upper portion of a patient's foot with a plurality of straps to retain the foot and shin against the device.

Dyer, US Patent no. 6,110,078 issued August 29, 2000 disclosed a spring loaded device for exercising the foot of a patient.

Reed, US Patent no. 6,210,348 B1 issued April 3, 2001 discloses a power operated leg and back exercise device.

Pridgen, US Patent no. 3,834,694 issued September 10, 1974 discloses a cable assembly connected to the head portion of a bed upon which a patient rests for exercising the patient's legs.

Frappier, US Patent 5,167,601 issued December 1, 1992 discloses the use of straps that connect around a patient's thighs and calves for exercising a patient's legs.

Respectfully submitted,

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
		Application Number	10/798,205
		Filing Date	03/11/2004
		First Named Inventor	Larry P. Backes
		Art Unit	3681
		Examiner Name	
Sheet	1	of	1
		Attorney Docket Number	
		M404	

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,728,103	03-01-1998	Fulton	
		US- 5,582,579	12-10-1996	Chism	
		US- 6,206,807 B1	03-27-2001	Cowans	
		US- 6,368,258 B1	04-09-2002	Emlaw	
		US- 6,602,216 B1	08-05-2003	Nordt, III	
		US- 2,467,943	06-19-1946	Mikell	
		US- 6,379,321 B2	04-30-2002	Gaylord	
		US- 4,251,070	02-17-1981	Leseberg	
		US- 5,399,155	03-21-1995	Strassburg	
		US- 324,498	08-18-1885	Surbaugh	
		US- 5,887,591	03-30-1999	Powell	
		US- 5,776,090	07-07-1998	Bergmann	
		US- 6,110,078	08-29-2000	Dyer	
		US- 6,210,348 B1	04-03-2001	Reed	
		US- 3,834,694	09-10-1974	Pridgen	
		US- 5,167,601	12-01-1992	Frappier	
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
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